

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:06CR24**

UNITED STATES OF AMERICA,

Vs.

JOSIAH McMANUS.

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ORDER

THIS MATTER is before the court upon defendant's third Motion to Modify Conditions of Release. For cause, defendant shows that the deadline for fall registration at the University of North Carolina at Asheville is August 17, 2006. The undersigned has twice granted defendant bond, and defendant has twice violated the terms of bond by committing criminal offenses: once consuming alcohol under age to the point of measurable intoxication twice the legal limit; and once possessing and using a controlled substance. Defendant has shown to this court that his word is not his bond. Finding that a deadline for college registration is not a change in circumstance and that college registration occurs biannually, defendant's motion will be denied.

ORDER

IT IS, THEREFORE, ORDERED that defendant's third Motion to Modify Conditions of Release is **DENIED**.

Signed: August 16, 2006

Dennis L. Howell

Dennis L. Howell
United States Magistrate Judge

